



MEMORANDUM

RCA
Agenda Item No. 5 (F)

TO: Honorable Chairperson Barbara Carey-Shuler, Ed.D.
and Members, Board of County Commissioners

DATE: **April 28, 2004**

FROM: George M. Burgess
County Manager

SUBJECT: Dolphin Center Multipurpose
Special Tax District

As requested by Commissioner Betty T. Ferguson during the March 10, 2004 Recreation and Cultural Affairs Committee Meeting, the following is a report on the Dolphin Center Multipurpose Special Taxing District.

On September 26, 1985 the Board of County Commissioners adopted Resolution Numbers Z-210-85 and Z-211-85 authorizing the development of the Dolphin Center Stadium Site. A condition of each resolution required that the property owners of the Dolphin Center apply for the creation and establishment of a Special Taxing District to provide funding for the maintenance and operations of the public improvements required.

On October 14, 1986 the Board adopted Ordinance No. 86-78 (Attachment A) creating the Dolphin Center Multipurpose Special Taxing District in accordance with the provision of Chapter 18 of the County Code. The services provided within the District are:

1. Maintenance of the archaeological midden in its native condition.
2. Maintenance of the 110 foot to 130 foot wide landscape linear park within the south neighborhood protection buffer, including maintenance and operation of a 5 acre park site and bicycle path.
3. Maintenance of the 6 foot masonry wall within the south neighborhood protective buffer.
4. Maintenance of the 5 acre pine-oak preservation area in its native condition.
5. Maintenance and operation of the irrigation system within the landscaped area of the south neighborhood protective buffer.
6. Maintenance of the 40 foot wide landscaped area within the north neighborhood protective buffer area, including maintenance and operation of the irrigation system within the 40 foot landscaped area.

The District began in FY 2003-04 with a \$161,142 carry over and an assessment of \$338,900. The FY 2003-04 budget expenditure is projected at \$445,000.

Attachment


Assistant County Manager

MEMORANDUM

Agenda Item No. 2 (g)

(10-14-86--Public Hearing)

Honorable Mayor and Members
Board of County Commissioners

DATE September 16, 1986

SUBJECT Dolphin Center
Multipurpose Special
Taxing District

FROM

Sergio Pereira
County Manager

86 - 78

BACKGROUND:

On September 26, 1985 the Board of County Commissioners passed and adopted Resolution Numbers Z-210-85 and Z-211-85 thereby authorizing the development of the Dolphin Center.

A condition of each resolution required that the property owners of the proposed Dolphin Center apply for the creation and establishment of a special taxing district. The proposed special taxing district is necessary in order to provide funding for the maintenance and operation of public improvements required by each of the resolutions.

RECOMMENDATION:

It is recommended that the Board approve the attached petition submitted in accordance with Section 18-22.1, Chapter 18 of the Code for the creation and establishment of the Dolphin Center Multipurpose Special Taxing District.

Boundaries:

From approximately N.W. 195th Street to the Snake Creek Canal, between N.W. 27th Avenue and the Florida Turnpike and from Miami Gardens Drive (N.W. 183rd Street) to approximately N.W. 196th Terrace, between N.W. 24th Avenue and N.W. 27th Avenue.

Number of Parcels:

14

Number of Property Owners
Signing Petition:

4

Petition Certification:

District petition certified by County Attorney's office as being legally sufficient.

Type of Service to be provided:

The service to be provided as required by the provisions of Resolutions Z-210-85 and Z-211-85 consist of the maintenance and operation of various public improvements installed within the north and south neighborhood protective buffer areas, the archaeological midden and the pine oak preservation area.

| | <u>First Year</u> | <u>Second Year</u> |
|--|-----------------------|------------------------|
| Estimated Cost Per Assessable Square foot of Property | \$.0142 | \$.0111 |
| Estimated Cost Per Acre | \$618.55 | \$483.52 |

As required by the provisions of Section 18-22.1 (c) of the Code, I have reviewed the facts submitted by the Public Works Director and concur with his recommendation that this district be created pursuant to Section 18-22.1 of the Code, which provides for the creation and establishment of special taxing districts upon receipt of a petition signed by 100% of the property owners. The creation and establishment of the proposed district will be subject to Commission approval only; no referendum is required.

RECEIVED
DEC 19 1986

Agenda Item No. 2 (g)
10-14-86

ORDINANCE NO. **86 - 78**

ORDINANCE CREATING AND ESTABLISHING A SPECIAL TAXING DISTRICT IN DADE COUNTY, FLORIDA, KNOWN AND DESCRIBED AS "DOLPHIN CENTER MULTIPURPOSE SPECIAL TAXING DISTRICT" IN ACCORDANCE WITH THE PROVISIONS OF CHAPTER 18 OF THE CODE OF METROPOLITAN DADE COUNTY, FLORIDA; AND PROVIDING AN EFFECTIVE DATE

WHEREAS, the Dade County Home Rule Amendment to the Florida Constitution (Article VIII, Section 11) grants to the electors of Dade County power to adopt a home rule charter of government for Dade County, Florida, and provides that such charter may provide a method for establishing special taxing districts and other governmental units in Dade County from time to time; and

WHEREAS, the Home Rule Charter adopted by the electors of Dade County on May 21, 1957, provides that the Board of County Commissioners, as the legislative and the governing body of Dade County, shall have the power to establish special purpose districts within which may be provided essential facilities and services, including landscape maintenance programs, and that all funds for such districts shall be provided by service charges, special assessments, or general tax levies within such districts only, and that the County Commission shall be the governing body of all such districts; and

WHEREAS, pursuant to such provisions of the Florida Constitution and the Home Rule Charter, the Board of County Commissioners duly enacted Chapter 18 of the Code of Metropolitan Dade County, Florida, providing for the creation and establishment of special taxing districts and prescribing the procedures therefore; and

WHEREAS, Resolution Nos. Z-210-85 and Z-211-85, passed and adopted by the Board of County Commissioners on September 26, 1985, required as a condition of each Resolution that the property owners of the proposed Dolphin Center apply for the creation and establishment of a special taxing district; and

Agenda Item No. 2 (g)
Page No. 2

WHEREAS, in accordance with the provisions of Section 18-22.1 of the Code of Metropolitan Dade County, Florida, a petition for the creation of a special taxing district to be known as the "DOLPHIN CENTER MULTIPURPOSE SPECIAL TAXING DISTRICT" duly signed by 100% of the property owners within the proposed district, was filed with the Clerk of the County Commissioners. Such petition prayed for the creation and establishment of a special taxing district for the purpose of providing a maintenance and operation program to be financed solely by means of special assessments levied and collected within the area therein and hereinafter described; and

WHEREAS, upon receipt of such petition the Clerk of the County Commission transmitted a copy thereof to the County Attorney who examined it and filed a written report with the Clerk certifying that such petition was sufficient in form and substance and signed and properly presented in accordance with the requirements of Chapter 18 of the Code of Metropolitan Dade County, Florida; and

WHEREAS, the County Manager, after making appropriate investigations, surveys, plans and specifications, compiled and filed with the Board of County Commissioners his written report and recommendations setting forth the boundaries of the proposed special taxing district, the location, nature and character of the maintenance and operation program to be provided within the proposed district, and estimate of the cost of the maintenance and operation program, an estimate of the annual expense for the program, certifying that the proposed district conforms with the goals and objectives of the adopted Comprehensive

4

Agenda Item No. 2 (g)
Page No. 2

WHEREAS, in accordance with the provisions of Section 18-22.1 of the Code of Metropolitan Dade County, Florida, a petition for the creation of a special taxing district to be known as the "DOLPHIN CENTER MULTIPURPOSE SPECIAL TAXING DISTRICT" duly signed by 100% of the property owners within the proposed district, was filed with the Clerk of the County Commissioners. Such petition prayed for the creation and establishment of a special taxing district for the purpose of providing a maintenance and operation program to be financed solely by means of special assessments levied and collected within the area therein and hereinafter described; and

WHEREAS, upon receipt of such petition the Clerk of the County Commission transmitted a copy thereof to the County Attorney who examined it and filed a written report with the Clerk certifying that such petition was sufficient in form and substance and signed and properly presented in accordance with the requirements of Chapter 18 of the Code of Metropolitan Dade County, Florida; and

WHEREAS, the County Manager, after making appropriate investigations, surveys, plans and specifications, compiled and filed with the Board of County Commissioners his written report and recommendations setting forth the boundaries of the proposed special taxing district, the location, nature and character of the maintenance and operation program to be provided within the proposed district, and estimate of the cost of the maintenance and operation program, an estimate of the annual expense for the program, certifying that the proposed district conforms with the goals and objectives of the adopted Comprehensive

Agenda Item No. 2 (g)
Page No. 3

Development Master Plan for the County, and setting forth his recommendations concerning the need and desirability for the requested district, the ability of the affected property to bear special assessments for financing the cost of the maintenance and operation program, and expressing his opinion that the property to be specially assessed will be benefited in excess of the special assessments to be levied, an estimate of the amount to be assessed against each square foot of the benefited property within the district, and the County Manager attached such report and recommendations a map or sketch showing the boundaries and location of the proposed district. Such report and recommendations of the County Manager was filed with the Clerk and transmitted to the Mayor, and

WHEREAS, it appearing to the Board of County Commissioners from such report of the County Manager and other investigations that the maintenance and operation program petitioned for would be of special benefits to all property within the proposed district and that the total amount of the special assessments to be levied would not be in excess of such special benefit; the Clerk of the Board certified the place, date and hour for a public hearing on the petition of the property owners and the report and recommendations of the County Manager was held on Tuesday, October 14, 1986. Copies of said certificate were duly published in newspapers of general circulation published in Dade County, Florida, and copies thereof were posted in more than five (5) public places within the proposed district, and copies thereof were mailed to all owners of taxable real property within the boundaries of the proposed district as their names and addresses appear on the latest Dade County tax assessment roll and to all persons, firms or corporations having any right, title or interest in said property; and

Agenda Item No. 2 (g)
Page No. 4

WHEREAS, pursuant to said notice, the Board of County Commissioners on Tuesday, October 14, 1986, held a public hearing in accordance with the provision of said Clerk's certificate, at which public hearing all interested persons were afforded the opportunity to present their objections, if any, to the creation and establishment of the proposed special taxing district; and

WHEREAS, the Board of County Commissioners, upon review and consideration of the report and recommendations of the County Manager and the views expressed by the property owners within the proposed special taxing district, has determined to create and establish such special taxing district in accordance with the report and recommendations of the County Manager,

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF DADE COUNTY, FLORIDA:

Section 1. In accordance with the provisions of Chapter 18 of the Code of Metropolitan Dade County, Florida, a special taxing district in the unincorporated areas of Dade County, known and designated as the "DOLPHIN CENTER MULTIPURPOSE SPECIAL TAXING DISTRICT" is hereby created and established.

Section 2. The area or boundaries of the proposed special taxing district are as follows:

A portion of land in Section 34, Township 51 South, Range 41 East and in Section 3, Township 52 South, Range 41 East, Dade County, Florida, also being a portion of Block 3 of PLAT OF MIAMI GARDENS as recorded in Plat Book 2, Page 96 of the public records of Dade County, Florida, more particularly described as follows:

COMMENCING at the Northeast corner of said Section 3; thence South 01° 07' 39" East, along the East line of said Section 3; a distance of 543.19 feet to the POINT OF BEGINNING; thence continue South 01° 07' 39" East, along said East line, 779.90 feet to the Southeast corner of the North One Half (N1/2) of the Northeast One Quarter (NE1/4) of said Section 3; thence South 88° 47' 14"

Agenda Item No. 2 (g)
Page No. 5

West, along the South line of said North One Half (N1/2) of the Northeast One Quarter (NE1/4) of Section 3, a distance of 2642.60 feet to the Southwest corner of said North One Half (N1/2) of the Northeast One Quarter (NE1/4) of Section 3, said point also being the Southwest corner of Tract 21, Block 3 of said PLAT OF MIAMI GARDENS; thence North 01° 05' 09" West, along the West line of said North One Half (N1/2) of the Northeast One Quarter (NE1/4) of Section 3, also being the West line of said Tract 21, a distance of 660.73 feet to the Northwest corner of said Tract 21, said point also being the Northeast corner of BELL GARDENS as recorded in Plat Book 65, Page 120 of the Public Records of Dade County, Florida; thence South 88° 47' 40" West, along the North line of said plat of BELL GARDENS, also being the South line of Tracts 5, 6, 7 and 8 of Block 3 of said PLAT OF MIAMI GARDENS, 1320.29 feet to the Northwest corner of said BELL GARDENS, also being the Southwest corner of said Tract 8, thence South 01° 05' 46" East along the West line of said plat of BELL GARDENS also being the East line of Tracts 16, 33 and 40 of Block 3 of said PLAT OF MIAMI GARDENS, 1981.24 feet to a point on the Westerly extension of the centerline of Northwest 191st Street of said plat of BELL GARDENS, also being the Southeast corner of said Tract 40; thence South 01° 06' 46" East, continuing along said West line of BELL GARDENS, also being the East line of Tracts 61, 68, 93 and 100 of Block 3 of said PLAT OF MIAMI GARDENS, 2202.51 feet to a point a line 440 feet North of and parallel with the South boundary of Tracts 99 and 100 of Block 3 of said PLAT OF MIAMI GARDENS; thence South 88° 55' 44" West along the last described parallel line, 660.01 feet to a point on the West line of said Tract 99; thence North 01° 06' 38" West, along said West line of Tract 99 and the West line of Tract 94 of Block 3 of said PLAT OF MIAMI GARDENS, 880.71 feet to the Northwest corner of said Tract 94; thence South 88° 52' 55" West, along the South line of Tracts 66 and 65 of Block 3 of said PLAT OF MIAMI GARDENS, 409.98 feet to a point on a line 200 feet East of and parallel to the East Right-of-Way line of Northwest 27th Avenue; thence North 01° 06' 30" West along the last described parallel line, 200.00 feet to a point on a line 200 feet North of and parallel to said South line of said Tract 65; thence South 88° 52' 55" West, along the last described parallel line, 200.00 feet to a point on said East Right-of-way line of said Northwest 27th Avenue; thence North 01° 06' 30" West along said East Right-of-Way line, 3760.71 feet to a point on the North line of said Section 3; thence North 01° 06' 59" West, continuing along said East Right-of-Way line, 199.91 feet to a Point of Curvature with a tangent curve concave to the West; thence Northerly along the arc of said curve, also being said East Right-of-Way line, having a delta of 06° 21' 24" feet, a radius of 5779.65 feet, an arc distance of 641.21 feet to a Point of Non-tangency with the West line of said Section 34; thence North 00° 07' 44" West, along said West line of Section 34, also being being said East Right-of-Way line, 1104.69 feet to a point on the South Flood Control Line of Snake Creek Canal; thence South 86° 11' 45" East, along the last described line, 5297.22 feet to a point on the East line of said Section 34; thence South 00° 00' 12" East, along said East line of Section 34, a distance of 1388.61 feet to a point on a Right-of-Way line for the Sunshine State Parkway; thence South 88° 45' 09" West continuing along the last described Right-of-Way line, 84.78 feet; thence South 01° 07' 39" East, continuing along the last described Right-of-Way line, 201.00 feet; thence South

05° 16' 07" East, continuing along the last described Right-of-Way line, 401.06 feet; thence South 31° 10' 02" East, continuing along the last described Right-of-Way line, 38.03 feet; thence North 88° 52' 21" East, continuing along the last described Right-of-Way line, 35.00 feet to the POINT OF BEGINNING. Said lands lying in Dade County, Florida, containing 434.168 acres, more or less.

The area and location of this proposed special taxing district are shown on the map or sketch which is made a part hereof by reference.

Section 3. The service to be provided within this proposed special taxing district will consist of a maintenance and operation program for the following items:

1. Maintenance of the archaeological midden in its native condition.
2. Maintenance of the 110 foot to 130 foot wide landscape linear park within the south neighborhood protective buffer, including maintenance and operation of a 5 acre park site and bicycle path.
3. Maintenance of the 6 foot masonry wall within the south neighborhood protective buffer.
4. Maintenance of the 5 acre pine-oak preservation area in its native condition.
5. Maintenance and operation of the irrigation system within the landscaped area of the south neighborhood protective buffer.
6. Maintenance of the 40 foot wide landscaped area within the north neighborhood protective buffer area, including maintenance and operation of the irrigation system within the 40 foot landscaped area.

Section 4. The estimated net cost to the property owners for the maintenance and operation program including engineering and administrative, and billing, collecting and processing for the first year is \$225,598.00 and \$175,700.00 the second year. The County will advance funds for this program, which sum shall be reimbursed by special assessments. As authorized by Section 197.363, Florida Statutes, all special assessments levied and imposed under the provisions of this Ordinance shall be collected, subject to the provisions of Chapter 197, Florida Statutes, in the same manner and at the same as time ad valorem taxes. It is estimated that the cost per assessable square foot of real

Agenda Item No. 2 (g)
Page No. 7

property within the proposed district is \$.0142 the first year and \$.0111 the second year.

Section 5. It is hereby declared that the service program will be a special benefit to all property within the special taxing district and the total amount of special assessments to be levied as aforesaid will not be in excess of such special benefit.

Section 6. The County Manager is authorized and directed to cause to be made the maintenance and operation of various public improvements to be installed within the district in accordance with the provisions of this Ordinance.

Section 7. The County Manager is directed to cause to be prepared and filed with the Clerk of the County Commission a Preliminary Assessment Roll in accordance with the provisions of Section 18-14 of the Code of Metropolitan Dade County, Florida.

Section 8. A duly certified copy of this Ordinance shall be filed in the Office of the Clerk of the Circuit Court of Dade County, Florida, and recorded in the appropriate book of records.

Section 9. This ordinance shall become effective ten (10) days after the date of its enactment.

PASSED AND ADOPTED: OCT 14 1986

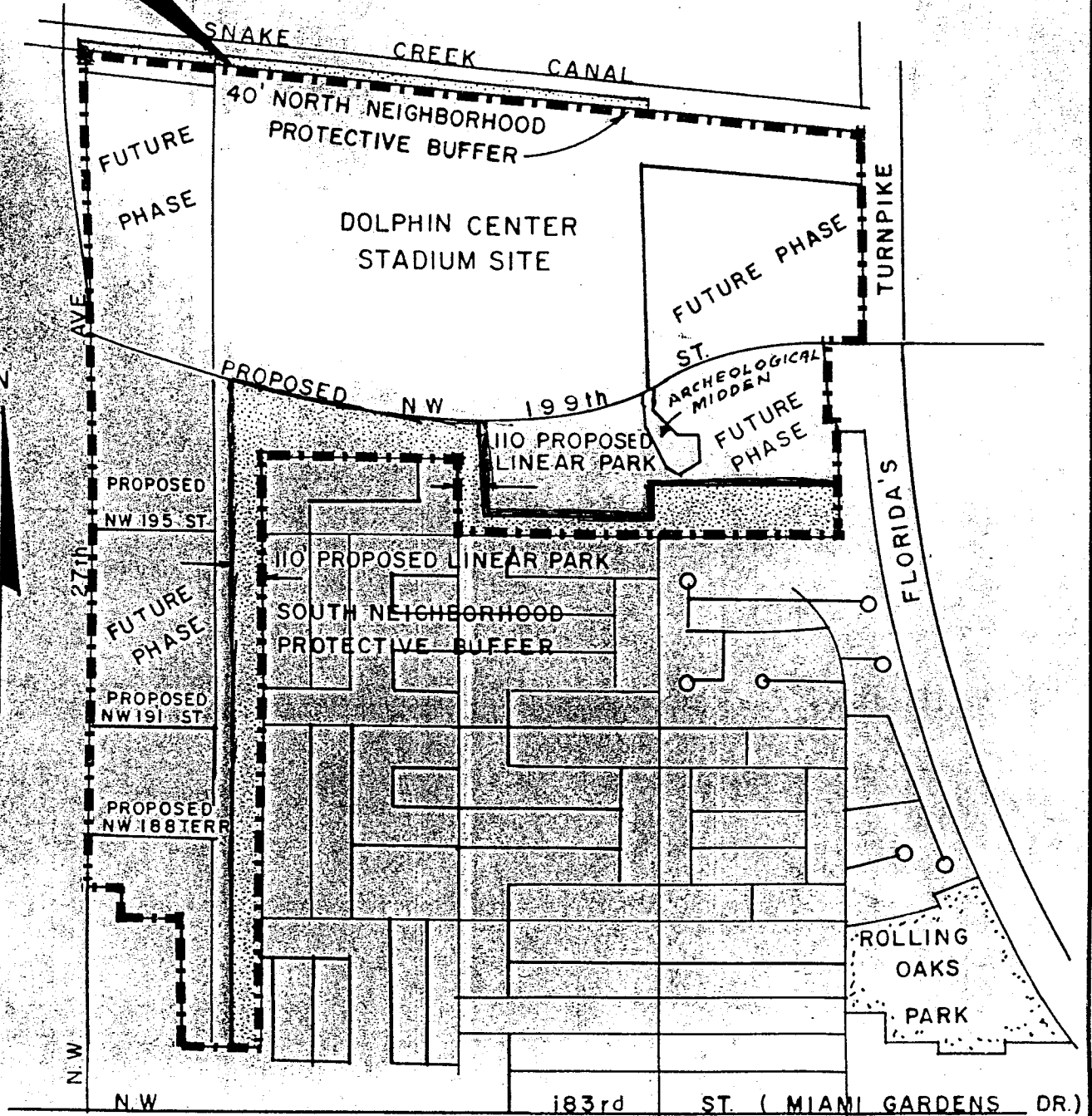
Approved by County Attorney, as
to form and legal sufficiency.



M 199

PROPOSED DISTRICT BOUNDARIES

SHADED AREAS ARE LANDSCAPED AREAS TO BE MAINTAINED.



DOLPHIN CENTER

MULTIPURPOSE SPECIAL TAXING DISTRICT